

CITY-COUNTY COMMON

County-City Building • 555 S. 10th Street • Lincoln, NE 68508

County Commissioners
(402) 441-7447

Mayor
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City Council
(402) 441-7515

COMMON AGENDA TUESDAY, OCTOBER 7TH, 2003 COUNTY/CITY BUILDING CONFERENCE ROOM 113 8:30 A.M.

I. MINUTES

- A. Minutes from July 8, 2003 Common Meeting
 - 1. Expressway
 - 2. Budget
- B. Minutes from August 4, 2003 Common Meeting
- C. Minutes from September 2, 2003 Common Meeting

II. PRESENTATIONS

- A. Planning - Rural Acreage Studies - 45 Min
- B. Clean Indoor Air Draft Ordinance- Requested by Bernie Heier - 30 Min

III ADJOURNMENT - Approx 10:00 a.m.

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COMMON MEETING MINUTES

Tuesday, October 7, 2003

8:30 a.m.

County/City Building - Room 113

COUNCIL MEMBERS IN ATTENDANCE: Jon Camp, Glenn Friendt, Patte Newman, Ken Svoboda, Terry Werner; *COUNCIL MEMBERS ABSENT:* Jonathan Cook, Annette McRoy
MAYOR SENG: In Attendance.

COUNTY BOARD MEMBERS IN ATTENDANCE: Ray Stevens, Common Vice-Chair; Bernie Heier, Larry Hudkins Deb Schorr,, Bob Workman; *COUNTY BOARD MEMBERS ABSENT:* None

OTHERS IN ATTENDANCE: Cori Kielty, Ann Harrell, Mayor's Office' Robert Lookabaugh, Citizen; Marvin Krout, Planning Director, Mike DeKalb, Planning Department; June Remington, Aging Services; Bruce Dart, Director of Lincoln/Lancaster County Health Department; Larry Worrell, County Engineering Department; Mike Brienzo, Public Works Department; Peter Katt, Attorney; Gwen Thorpe, Kerry Eagan, County Board; Joan Ray, Council Secretary; Darrell Podany, Aide to Council Members Camp, Friendt and Svoboda; Nate Jenkins, Lincoln *Journal Star* representative - (Others who attended, but are not noted here failed to sign the Commons Sign-In List)

Mr. Svoboda called the meeting to order and welcomed Staff and visitors.

1. MINUTES

- A. Minutes from July 8, 2003 Common Meeting
 - 1. Expressway
 - 2. Budget
- 2) Minutes from August 4, 2003 Common Meeting
- 3) Minutes from September 2, 2003 Common Meeting

Mr. Ken Svoboda called for a motion to approve the above-listed minutes. Jon Camp moved to approve the minutes as presented. Larry Hudkins seconded the motion which carried by unanimous consensus of the Common Members present.

THIS MEETING WAS SCHEDULED TO ADDRESS:

PLANNING - RURAL ACREAGE STUDIES

CLEAN INDOOR AIR DRAFT ORDINANCE

PLANNING - RURAL ACREAGE STUDIES - Mr. Marvin Krout, Planning Director, and Mike DeKalb of the Planning Department came forward for the presentation. Mr. Krout requested that perhaps for future presentations, a larger screen might be provided, since today's set up will eliminate some of the details of the power point presentation. Mr. Krout passed out material to the Common Members for their review during the presentation.

Mr. Krout stated that he and his staff had, for the last several months, been trying to make sense of these three studies that were directed by the Comprehensive Plan. Any kind of implementation of the Comp Plan involves either one or all of the following:

- 1) Regulations
- 2) Capital Improvements
- 3) Financial Policy

He noted that they would talk about Regulations and Capital Improvements briefly this morning. He added that Financial Policy is something that we don't often talk about when discussing growth and development, but it has a big impact on development and we will touch on that issue today, too.

To re-cap - the Comprehensive Plan called for three studies to be completed within a year of the adoption of the Plan. We're almost on course there, being only a couple of months late. Mr. Krout stated, however, that he felt the reports have been done in a timely way and we've had enough input to at least get some recommendations that we can talk about out on the table.

The first study was the Cost of Rural Services. Duncan Associates gave both Boards a briefing on that two weeks ago. The second study was the Build Through Study - how to design subdivisions in the area of Lincoln's future growth that will create an easier transition for the City as it annexes and incorporates those areas. The third study was called Performance Scoring. Performance Scoring was an effort to come up with a more systematic way of making decisions on re-zonings and Community Unit Plans and, overall, the issue of density in acreage areas - instead of doing it in an *ad hoc*, case-by-case manner.

Mr. Krout noted that at the end of this presentation, they would discuss what next steps might be possible. There were some options outlined in the material Mr. Krout had handed out. He stated that what he wanted to talk about now is the idea that we have multiple jurisdictions for which we have developed a performance system. Mr. Krout indicated that he would not go into the details of that system, but Mr. DeKalb would be available for more detailed information if the Common members wished. Now they would discuss the supply and demand for acreage development in the County. (He felt it was important to have that kind of background). They would be talking about how the Planning Department uses Performance Scoring in terms of identifying appropriate areas for different acreage densities; suggesting a new idea for Common Members in a limited fashion called Transfer of Development Rights which might be incorporated into what we're doing here in the County. We will summarize how these recommendations from all three of these studies would apply and we've shown the zones of unincorporated area that are outside of the City limits today. Finally, we will talk a little about the Cost of Services Study and what the implications of that study might be. Then, we'll lay the ground work for a discussion he hoped Common Members would have on these steps.

Mr. Svoboda asked if it would disrupt Mr. Krout's presentation if Common Members asked questions during, or should questions be held until the presentation has been completed. Mr. Krout stated that the Common Members were welcome to ask questions as the presentation was being made - just as long as we are able to complete the presentation.

Mr. Krout continued his remarks with the acreage development. This is development that doesn't have water and sewer service and so is generally limited to, at the very maximum density, one unit per acre...if community systems are approved for sewer. Or, more commonly, one lot per three acres, which is enough to accommodate an individual [inaudible] septic tank and a well. Most of the county today is zoned AG (Agriculture) which allows one lot per twenty acres. There are smaller areas that are zoned AGR - and actually they consist of a fairly substantial portion of the area.

But the first thing Mr. Krout wanted to try to impart is that this issue of acreages is not exclusively a City of Lincoln issue; it's not exclusively a Lancaster County issue. There are twelve towns that all have their own jurisdictions, and they have treated their own one-mile jurisdictions. The area surrounding Lincoln is divided into four areas which have been included in the adopted Comprehensive Plan. These are the growth areas - the growth Tiers that represent different periods of development. The first area shows the first 25 years of growth. The longer range growth appears in Tiers Two and Three. Tier Four is referenced as the area in which we have no anticipation for development of public water and sewer within the next Century.

Tiers One and Two are almost completely within the three-mile extra-territorial jurisdiction of the City of Lincoln. So, the City, through its zoning and subdivision and building permit authority has the control over those areas and any changes in regulation would involve changes to City regulations.

Tier Three, the longest range area, is split between the City's jurisdiction and the County's jurisdiction by about a 2/3-City/1/3 County. There is a shared jurisdiction in that very longest range area but for the most part Tier Four is exclusively a County issue; although the small towns outside have jurisdiction in that area also.

Mr. Krout quickly reviewed what the Comprehensive Plan said about this - and there are some very clear directions in some areas, which made us feel like we were really in the implementation stage. We weren't trying to develop new policy, but merely trying to implement what the Comp Plan was saying. The Comp Plan talked about 6% acreage share of housing, which is about 100 units per year out of the 1600 or so units per year average that is built in the County as a whole (including the City). In other words, we don't encourage more acreage development necessarily, but try to maintain an accommodation for people who are looking for that lifestyle and also the opportunity for people who live in rural areas to be able to develop their land, at least to some extent to get more economic value out of property that may be farmland today.

There are 32 units per square mile in the AG areas which means, overall, there is still an intent to try to maintain a low density....a density that would not require paving every mile line road in the County, but could be supported with the kinds of roads that we have out there today. No new acreages in Tier One. Tier One is the area where we're going to be providing water and sewer services the soonest. It needs to remain as clean and uncluttered as possible to avoid difficulties and conflicts in terms of urbanization.

The Plan calls for Build Through Standards for Tiers Two and Three. The technical details have been worked through very diligently to try to give us something that would do the job as well as possible.

Mr. Heier asked Mr. Krout if, regarding Tiers Two and Three, he could tell the Common Members the years that it is anticipated for annexation? Mr. Krout stated that Tier Two is 25-50 Years; and Tier Three would be beyond 50 - 50-100 years.

Mr. Heier noted then, that standards that are being applied now would in essence state that we're Planning for twenty-five years for Tier Two and fifty years for Tier Three. Mr. Krout noted that that was correct.

Mr. Krout observed that in his experience in watching cities - areas that seem to be out in the long range future tend to move forward faster in some cases, for all kinds of reasons such as economic development, and special reasons that might be unexpected. The idea of protecting all of those areas is important.

The Performance Standard Point System, will be discussed in more detail momentarily. New acreages near paved roads are clustered together, so criteria for how to use this Performance Standard Point System were already established in the Comp Plan. Those, you will find, are in the Performance System.

Considering Impact Fees for new acreages (which will be discussed at the end of our presentation) and New Tools have both been incorporated into the recommendations being brought forward today. One is bonuses for resource preservation (preserving our natural land resources); and second is a tool to encourage another kind of clustering without all the trips and hammers of a C.U.P. - a simpler way to do two three-acre lots in a forty acre parcel and leave the remainder of the three acre parcels undeveloped.

Demand and Supply: If we're talking about 100 units per year, what Mr. Krout wanted to point out is that we have a total of over 18,000 acres of land that is either zoned AGR today out in the County, or is shown in the Comp Plan as being appropriate for re-zoning to AGR. (AGR - One lot per three acres). This is a more dense kind of ex-urban development. That translates into almost 4,000 lots. What we've noticed in the pace of development is that there continues to be a steady development of homes on twenty-acre lots and also, an increasing use of the AG-Cluster type subdivisions. Both the City and County have approved those. That is where three+ acre lots are clustered in one part of a large parcel and the rest is an outlot, and, sometimes, may be protected by a conservation easement. We've been getting about 26 units per year built on those kinds of lots, which is 73 lots per year.

So, what that means is, if 20 acre lots and AG-Cluster are taking care of the demand for rural development, then you might say that we only have a need to provide for 27 units per year in land that is zoned AGR. That represents a 145 year supply of lots that are potentially out there. Now, are they all really available for development? Are they ready to go - with a willing seller and a willing buyer? No. That is not the case. Furthermore, if you went back and looked at the map, you would see that a substantial amount of the land that is shown as zoned for AGR is in the jurisdiction of four of the small cities - within one mile of four of the small cities where they have made the decision that this is the way that they would like their perimeter to develop.

Mr. Heier asked how many of the lots are buildable lots? He noted that there has been a problem with having many lots, particularly to the west, that are designated as five acre lots - but they can't get water. Do you have a number on those types of lots? Mr. DeKalb stated that they do not have a number on those lots, but noted that this is not the 1700 lots that are currently platted out there. There has been a point of discussion of how many are useable today. This is actually saying of those areas that are unplatted, but are zoned or shown in the current activity level that we're doing on 20+ clusters, we're generating 18,000 acres of land that is Potential. To answer your question -Is it buildable today?- that is a question of the market and varies depending on individual platters.

Mr. Heier stated that he meant that there are some you can't build on because you can't get water...it can't be perked. Do you know what the number of those lots are? Mr. DeKalb did not. Mr. Heier asked how many acres of total land are there in Lancaster County? Mr. DeKalb noted that there were 864 square miles, times 640 = [My calculator shows] 552,960 acres.

Mr. Krout noted that the main point in this light is that the bulk of the 6% per year that we're seeing is already made up of 20 acre lots and AG-Cluster lots, so that there is no great need for us to go out and zone large areas of AGR. We already have large amounts of area that are available and a very small demand.

Mr. Hudkins asked how many units are being built on acreages today - how many permits were taken out last year? Mr. Krout answered that it seems to be averaging around 100, or a little bit more. He thought Common Members had seen the numbers: 47 and 26 representing the current years.

Mr. DeKalb commented that on platted subdivisions it varies. Over the last 20 years we've looked at from a low of about 34 to a high of about 140. It averages around 100. On top of that, on the 20 acre lots we've looked at the Assessor's records and in 47 years it's been pretty solid, especially over the last 20 years or so with that average.

Mr. Hudkins noted that there was a sub-division in his district that has set since 1979 which has one lot on it, because they simply can't find water in the other lots. So, we've got a lot of lots available, but sometimes you have to find water. Mr. Hudkins noted that an assumption being made here is that we only have to supply a need for 100 units per year. He commented that that is being based off of a 6% acreage share. He asked if that is realistic since as we grow, won't that increase...even if it remains at 6%. As Lincoln grows, 6% will be more than 100 lots per year. He added that, as we've seen over the years, we've had as many as 140 per year developed....isn't that 100 a pretty low estimate?

Mr. Krout answered that it represents an average and yes, 6%, if that's at 100 today, might be 140 twenty years from now if you compounded the percentage. But that is still a pretty small proportion - we're still not looking at a large number when you compare that to a potential supply of 4,000 lots that is out there today. He noted that the other issue that has to be raised when you talk about this is - do we want to encourage anymore rural development? Mr. Hudkins asked why wouldn't you? Mr. Krout answered that when we get to the Cost of Services Study, there will be lots of discussion about that.

Mr. Hudkins noted that that is the reason the County Board questioned that Cost of Services report. Because we kind of think it's a bit skewed. He just wondered where Mr. Krout was coming from, because he was seeming to make the assumption that we don't want rural development.

Mr. Krout answered that there are lots of other reasons besides just the fiscal reasons why we may not want to encourage a whole lot more rural development. The Cost of Services study just begins to touch the tip of the iceberg on the reasons why the bulk of our future residential development should be concentrated in the urban area.

Mr. DeKalb noted that there were three points in response to Mr. Hudkins questions. One is that the 6% is the policy that was established in the Comprehensive Plan. The 100 units is actually the 6% of the allocated future projections for [inaudible] in the forecast of the Plan. Mr. Hudkins noted that the key words there are "future projection". Mr. DeKalb stated that he was sure, as Mr. Hudkins said, it will go up and down during variations in the market with boom years and slump years. The other interesting thing is, assuming the population per house -because that is what is driving the whole thing- and that it will be the same in Lincoln as in the Lancaster County rural areas. In the Rural areas of Lancaster County, the population is actually higher which means there are fewer houses, so this number is actually higher than if you cranked it down tight. These are ballpark figures, not exact.

Mr. DeKalb noted that on the water issue, and Mr. Heier had brought this up before, historically, we've talked about 1400-1700 lots existing in the County. A lot of those aren't necessarily buildable. Some of them have been there 150 years and never will be buildable if you can't get water. But the number we're giving you on platting is activity in the last 10-20 years of how we're processing plats. He thought, as Common Members all know, that we now require them to provide information on water availability so the plats are assumed to be buildable.

Mr. Stevens asked, out of 4,000 lots that are out there for acreages, how many are outside of the villages' one-mile zoning jurisdiction - how many are inside....which would be, basically areas outside the control of this body.

Mr. Krout answered that they have that information but he didn't have it at his fingertips. He estimated that it would be about 75/25 - 75 being outside of Common jurisdiction/25 being inside. Mr. DeKalb thought it might be closer to 50/50. Mr. Krout accepted that estimate noting that he would get the exact information to the Common members on that issue.

Mr. Krout continued his presentation. He commented that, without going into detail, he would review the list of 18 factors which have been under review for quite a while.

The Set of Criteria for the Performance Scoring System: (Each Criteria Weighted - which creates the score for every piece of land that is 100'x100' in the County which includes hundreds of thousands of parcels) This Criteria tries to indicate the initial suitability for acreage development, basically following policies that came out of the Comprehensive Plan which stated that we ought to be trying to direct these acreages towards areas where services are available (particularly paved roads) and where there is already an existing development pattern of acreages and where there are not sensitive natural resources. Based on those directions, we have these 18 Criteria. We have a map called Classifications Based on Initial Suitability Criteria, where the scores are divided from minus scores up to scores that range over 300-500 based on those 18 Criteria and the weighted scoring system. This creates clustering around existing development pattern and clustering in sort of a corridor effect along where the County's existing paved roads are located.

Are we saying we should have developed outside of that area? Mr. Krout stated that he was not. He was not even recommending to the Common Members that they have to lower the density in those areas that are the least suitable for development, but what he was suggesting, and mostly to the County, because this is mostly a County issue, is that you rebuild a bonus system that considers this initial suitability as part of the determination of what is an appropriate density.

Quite a bit of land that is designated in the Comprehensive Plan for AG Zoning are areas that are in four of the smaller cities one-mile jurisdiction. There are other areas, including areas that are close to Lincoln, but where the pattern is already set and it make sense to fill in, basically, that pattern. AG clusters are becoming a more common way of developing. Mr. Krout noted that it is a more environmentally responsible way of doing it.

So, how should this Performance Based System -the map that shows classification- how should we use it? Mr. Krout stated that they are suggesting that there should be two things to use it for. One: to identify a very limited number of additional parcels for AGR zoning. There are 4,000 potential lots and there is not a need to rezone large square miles of additional areas of AGR zoning, but there are some lands out there where the pattern of surrounding development just lends itself to Planning Department telling you [elected officials] that we may not even have a legal alternative except to grant AGR zoning to this property because of where it sits and the history of zoning in this area and the way that the area around it has already developed.

If you look at the “hot spots” on the map, you will see that those are the areas of limited acreages that are suitable for additional AGR zoning. We’re suggesting that, as a policy, when people file for AGR zoning, we would use that map to evaluate the appropriateness of an AGR request. Basically, most of the future rural development will come in under the AG Cluster. What we suggest for the AG Clusters is to use this Performance Scoring to help to encourage people to develop on land that minimizes County costs (that has a lot to do with roads and clustering of services); and second to use it with appropriate bonuses to conserve our important natural resources.

That results in an over-all policy that you can look at in terms of how we should deal with each Tier of development. Tier One is exclusively in the City’s jurisdiction. It is the area that is soonest going to be provided with water & sewer. Basically, we’re suggesting that only 20 acre lots and the existing Farmstead Split provision, which allows one to pull out an acreage every five years from a farmstead - that those be the provisions in the area closest to services and none of these other special provisions are really appropriate.

In Tiers Two and Three we’re suggesting that Build Through is the way to do AG Clusters. Build Through is just the special, hybrid, unique kind of AG Cluster development that we’re used to, but it’s got some special bells and whistles. It’s got some special requirements and we went through the details of those requirements at your last briefing. These have to do with creating special lot lines and easements and planning the entire parcel and reserving the outlot for future urban development; and coming up with a system where the property owners in the future have a better understanding about what they’re buying into....which is an acreage development that can very well convert to and become part of the City of Lincoln with financial responsibilities in terms of bringing up the infrastructure when that happens.

Mr. Heier asked Mr. Krout to expand on that a bit. He noted that the Build Through Study indicated that there must be paved streets, street lights, sidewalks.... Mr. Krout answered that even though, at the last minute the consultant did suggest that paving is appropriate...at the last briefing, Planning indicated that that isn’t necessary for three acre lots. Mr. Heier noted that because it is not required, that doesn’t mean that it can’t be required. He commented that there was a lot of stuff in the study that the public doesn’t know about. He felt that the County Engineer had some problems with the roads in the study. Mr. Heier asked if this was a final draft on the Build Through Study? Mr. Heier felt the draft was being unnecessarily rammed through.

Mr. Krout stated that there have been several drafts and the Committee did review it and tried to meet the deadline that the City and County had set in the Comprehensive Plan. Mr. Heier stated that they didn’t.

Mr. Krout continued, noting that the consultants had basically done their work and now the question is where do we go from here. Mr. Krout stated that he thought there was room for refinement in some of the things that they did - he agreed with Mr. Heier that there needs to be some more public discussion. Mr. Heier affirmed, absolutely so.

Ms. Patte Newman asked why Tiers Two and Three were lumped into the same group instead of putting One and Two in with stricter regulations? She saw that that is in the three-mile limit and basically, the City is the one that is going to have to deal with whatever recommendations would be brought forward.

Mr. Krout stated that the Comp Plan did specifically say Tiers Two and Three should receive Build Through requirements and Tier One should be more restrictive.

Ms. Newman asked if it were possible...we are stuck with what the Comp Plan says? We can not be stricter with the Tier Two? Mr. Krout answered that we're not stuck with anything that the Comp Plan says. But, it's probably an option to amend the Comp Plan when raising any big policy issues. But it is possible to be stricter than what the Comp Plan says....certainly.

Mayor Seng commented that to help us put all of this in perspective to remember that this is really the beginning of our studying this. Something we knew we had to do because we said we would do this. Now, the reports have been prepared, and we have to start to digest all of this information, and move forward. And you're going to tell us how we're going to do that. Mr. Krout noted that he would be giving them options.

Ms. Seng noted that we don't have to make any quick judgements today. Mr. Krout answered "Heavens, no!" We're not asking for any decisions today. Ms. Seng observed that all of the Common Members were really scared that we would have to do something today. Ms. Seng encouraged everyone to really study all of the reports that had been submitted to them today. She noted that they would need bigger maps (in reference to the small copies of maps received in the hand-out materials at this meeting) Mr. Krout noted that Planning would be glad to provide that.

Mr. Krout continued, stating that for Tiers Two and Three, the Build Through requirements are more, but the pie has been sweetened a little bit by increasing the potential density. The main thing in Build Through is to reserve land for future development and planning the acreages so it can all happen in a more orderly way. But we think we can accommodate a little more density than the AG Cluster would today.

Tier Four is the County area and we're suggesting a system of bonuses that would allow, if everything has been done right, more density in an AG Cluster than is permitted today. The way that works in Tier Four is with the Initial Suitability Score, based on the 18 Points System; then there is a Conservation Bonus which could put you up to another 20% of the base density lot yield; and then up to another 20% bonus based on Resource Value.

Initial Suitability is derived from the Performance Standards schedule. The criteria could be changed, the weighting could be changed, the thresholds for storage could be changed. But, basically, the idea is that the higher you score, the more suitable your site is, the higher density between a base of one lot per twenty acres and 20% more (one for 16 acres) - there is a sliding scale based on your score. The higher the score, the higher the density. There isn't an automatic 20% density to do an AG Cluster anywhere in the County. The Bonuses ought to be based on meeting the goals in the Comp Plan, one of which is suitability and the other is Resource Preservation.

Then up to another 20% bonus could be added if your outlot is in a conservation easement. There have been a lot of AG Clusters that have been platted with outlots that are basically set up for future expansion of acreages - and are not protected by a permanent conservation easement. Yet we do provide a bonus. We're saying provide a bonus if someone puts the land that we want to protect as a natural resource in a conservation area. All or a portion of the land could be put into the area - the bonus would be a sliding scale up to 20% based on how much of the outlot is put into the conservation easement.

Finally, there are certain areas in the County that have singular value because they are unique. These would be such areas as saline wetlands, native prairie or prime AG land - or some other reason that we have even more interest in preserving them than the other 80% of the land in the County. We ought to give a special bonus on top of the first bonus if someone is conserving land that falls into one of those special resource categories. We think we're following the Comp Plan in trying to protect these kinds of areas.

We have an idea about what is called Transfer of Development Rights. This is getting out to the cutting edge of Planning. The idea is basically that you can buy and sell development rights and move them from one parcel to another. If a subdivider has 80 acres and he wants to do a subdivision, he would be able, if he owns land that is off site within two or three miles of that parcel, and he puts a conservation easement on it and it is dedicated for permanent open space, to treat that as part of his outlot in calculating his density. So, if he has 80 acres and it's prime land being put into a conservation resource, he might have between four and six lots that he is forgiving by putting that land in conservation easement. Through the AG Cluster mechanism he could transfer that right to build four plus lots in that area and build four or more additional lots in the area where he is intending to develop.

The other option in the same kind of scenario - if a farmer under separate ownership has 80 acres and the developer goes to the farmer and purchases his right to develop four or five units on that 80 acres, the farmer puts an easement on his property, which protects it in terms of the City and County's concern; the developer gets to use that four or five lots, even though he doesn't own it. So that would be two different owners, but through the CP, accomplishing the same thing - being able to transfer the density, and protect the areas that we really want to protect.

Ms. Deb Schorr asked what the limit was on the number of miles from which the bonus can be transferred? Can it go clear to the other side of the County, or does it have to stay within the same Tier? Are there any restrictions on how far the transfer can occur? Mr. Krout answered that the Planning Department was suggesting two or three miles. It is something that could be discussed at greater length, but what we're suggesting is something just like the drainage basins in the County, so there are "traffic basins". (Highway 77 is a traffic basin around which most of the traffic is getting to Hwy. 77 in order to go north and south.) What we want to do is to keep these rights moving in that same basin, so that it doesn't cause a big impact wherein all the density is moving from one area and moving into another. Suddenly then, the County is faced with having to pave a lot roads that they hadn't anticipated. We're trying to keep the general density in that "traffic shed" about the same. Now it is a two-three mile radius...could it be done County-wide? Yes, it could - and there are some communities where it is done.

Mr. Heier asked if the same concept would work for saline wetlands, even though that is not buildable. Mr. Krout answered yes - we think this is a great tool to save land without the public having to buy it.

Mr. Workman asked if there were some examples of locations where the PDRs are working well? Mr. Krout gave the examples of Maryland, New Jersey, several states on the West Coast.

Mr. Krout embarked on discussion of Impact Fees. He noted that he used those words, because they are in the Comprehensive Plan. The County Board did ask to have those words removed from the Plan. The Planning Commission put that on pending, until the completion of this study which would be done in a couple of months. That Item is on pending. The question is what will you do with that?

He noted that there are several issues with the costs of rural services. One of them does have to do with impact fees. He thought there had been a presumption that the study would lead to a suggestion for impact fees. In fact it does. He felt that wasn't a surprise to anyone, because it is fairly common in many communities. If an urban lot doesn't pay for its services, even though the bundle of services is different, it's not surprising that a rural lot doesn't pay.

You can question assumptions in the study and argue the details all morning. The point is that some of it is happening in the County. The implication is that we should be very careful of the future about where to put acreage developments. The Road Improvement Program should be studied and how to do that in a way that benefits the County as a whole - to the maximum.

Given the Cost of Services Study, and given the fact that the County does get the same taxes whether a house is built in the City or in the County; and given that fact that if you're building a home in the County, you already have the advantage of not having to pay City taxes, it does seem a little bit strange that there would be an additional benefit because you could also escape City Impact Fees.

Mr. Krout asked, rhetorically, Will there always be City Impact Fees? He noted that we'd find out in about five or six months when the lawsuit is probably determined one way or the other. We're suggesting 'don't do anything with Impact Fees at this time', because we don't really know for sure if they're going to be upheld in the Nebraska Courts. If they are, it does seem to make sense to talk about the possibility of a road impact fee as a way to equalize the economics of buying a house in the City or the County - a way of reducing that transfer of tax money that is going from City taxpayers to the County. It will also be used as a tool to help the County guide acreage development to the places where it makes more sense to have them. A suggestion would be, if you get to that point, that if you're going to do impact fees, they ought to be higher if you are doing an acreage development on an unpaved road, because your impact is going to be greater. Maybe that would also encourage people to do what we're suggesting through the Bonus System.

How much could you justify by an impact fee? The study suggests up to \$7,000.00. Mr. Krout noted that he wouldn't say anymore, except that it probably doesn't make sense to talk about this much more until the lawsuit is settled. The County Board has the option of asking that that item (which is on Pending at the Planning Commission) be lifted from the Pending list and be processed on to the governing bodies for a final deliberation. You can do that if you wanted....Mr. Krout's suggestion was to wait and see what happens with the ordinance on the City side.

Mr. Krout noted that in the Three Mile Jurisdiction, there is an interesting issue where it would have to be the City of Lincoln imposing the Impact Fees because it's the City's jurisdiction, but the County Board would have to accept those impact fees and spend them on County roads. So, there is another opportunity for partnership.

Mr. Krout noted that this brings us to the point of "where do we go from here?" The first thing being suggested is that -you're right- there hasn't been a lot of public input. This Committee of people was a sounding board, but they represented mostly people who were farmers and developers who had interest in the acreage areas as opposed to the broader interests that exist in the community. We should have an open house and advertise it and explain some of these concepts, which are a little complicated, to get the feed-back from the public and be able to report that feedback to you.

Then, beyond that, we have two different options. The City Council and the County Board could choose to pursue your own paths, because you do have different jurisdictions and regulations. Or, you could choose to pursue the same path. You could choose different paths in regard to what Mr. Krout considered the two different pieces of regulations and policies. One is the Build Through for Tiers Two and Three. That is a self-enclosed kind of thing. While it is technical and there does need to be some massaging and refining to that, it is possible that you could take that and ask the Staff to prepare draft regulations, refine some of these concepts, especially based on input from the open-house, and go through the Planning Commission process and get input and get advice that way.

You could also do the same thing with the package of Performance Standards and Bonuses and Transfer of Development Rights - that whole package of AGR Cluster developments and how to modify those. You could decide that there may need to be more talk about this. But between an open house and the Staff drafting some recommendations and bouncing those off, more informally, with the people; then taking it through a hearing process - that would be about a four to five month process - if you were to take either Build Through, or Performance Standards, or both, through a process like that.

Another option for you, if neither of those, is to follow the time honored process here in Lincoln of appointing a formal Advisory Committee. [Laughter] If you do that, Mr. Krout's suggestion is that it needs to be broader based than the County Advisory Committee that we created for the purpose of reviewing these studies. There should be appointees of the County Board and City Council and the Mayor and a couple of people from the Planning Commission.

Then that Committee would review and develop their recommendations, which might be different from Staff recommendations. We would assist them in the way that we've assisted the infrastructure committee and others. That Committee, we would suggest, would probably want to have its own open house on its own recommendations and get some initial feed-back and report back to you on where they are. Then, if you think they're in the right ballpark, we would look to you to direct the process of going through the drafting of the regulations and going through the Planning Commission Public Hearing Process. How long would that take? Added on to the four or five months, it would probably be about another three or four months to work its magic. Usually these committees tend to go twice as long as you predict.

Mr. Workman noted that now was not the time to have a deep discussion on Impact Fees, but added that he was a little bit confused. He commented that when they had received the report from the Consultant on Impact Fees and the difference between our costs and the amount to be contributed by taxes, it was about six million dollars. He remembered the consultant saying that was equal to what we spend for the improvement of roads each year. Mr. Workman thought this was just a convenient number for him to equate it with, but now we're saying road impact fees. When Mr. Workman thinks of impact fees in the City, he was thinking more of sewer and water infrastructure. In the County there is no sewer or water infrastructure. Are we comparing apples to oranges? Mr. Krout stated that he did not think so. There are actually several City impact fees. There are four different impact fees: One for roads, one for sewer, one for water and one for neighborhood parks. You're right - the County does not provide the same bundle of services - you don't provide water & sewer, but you do provide roads. Mr. Krout felt the consultant was talking about taking one of those four fees and that would be appropriated toward consideration.

Mr. Krout came to what he said were *last items* on the next steps. [I didn't believe him anymore]. He noted that there are pending items. He reminded the Common Members that there are about a dozen items that are pending. Some are individual applications. Some have been pending for some time....this may figure into what kind of process you choose for the future. If you are generally comfortable with the concepts that we've brought to you in terms of Build Through and Performance Standards, we would say that those concepts could be used as the way to look at these individual applications so that we could pull them off pending and send them through the process and use these concepts on an interim basis that we would value and make recommendations to you on those cases.

If you are in the mode of establishing an Advisory Committee, then he felt that would leave everything open for grabs and he wasn't sure that the Common Members would want to do that with the individual applications.

Ms. Newman stated that she would like to ask the group if they were comfortable with Option A today? If that is the way we want to go, she thought it would be a reasonable assumption that the Staff knows what they're doing with either approving or recommending denial for acreages.

Mr. Friendt noted that it would also give us a chance to see how it flies and what the end results are in some real life cases, which he thought was important. Mr. Krout added that this would give us the opportunity to tweak the concepts if need be.

Ms. Newman commented that she would repeat what Bernie had said in that they had so much material to digest. She noted that she would like a second Commons meeting after we've gotten through all of this material so that we can discuss some of this more thoroughly.

Mr. Hudkins agreed, adding that what he had seen around this table, we don't want to shove this off to another advisory committee. What is left there, we need to start digesting. People that have been held up on these applications - we need to start working through them.

Mr. Stevens remarked that he liked these concepts. He thought Mr. Krout and the consultants have done a marvelous job of outlining to us what the issues are going to be and some common sense solutions to what those alternatives are. And, ultimately, the City Council and the County Board are going to be the ones to make the decisions. So, we need to be intimately involved in the processes that are developed and the actual point systems and the resolutions that are drafted. He agreed with the direction in which Ms. Newman was going - Option A looks like the thing he thought should be done. Maybe that will involve extra time and effort on our part, but he felt that is what should be done because we have to know in detail what those plans are. Maybe it will be more difficult to work with twelve elected officials than it is with an advisory committee -(Mr. Krout assured Mr. Stevens that wasn't the case!) Mr. Stevens stated that if we don't do that, we're shirking our responsibility. So, thank you for what you've done.

Ms. Schorr stated that, in summary, what has been stated is: We are going with Option A for Number One Build Through; and Number Two Performance Scoring Board Bonus System; What would be Three - Cost of Rural Services- we're going to keep on pending for the four or five months until the lawsuit is settled. She asked if that was an accurate summary. Mr. Krout noted that those were his suggestions. He added that the only other pending item is the Hickman Comp Plan Amendment. He thought that was really in Hickman's ballpark to decide. We'll go and meet with them and discuss this with them. If they think it has some application to them and they want to modify or withdraw their amendment [inaudible].

Mr. Werner stated that he pretty much agreed with what the group is saying, but couldn't we have an Option C? [Groans and Laughter]

Ms. Newman asked Mr. Krout about the other small villages around in Lancaster County? Is Hickman the only one that has a Comp Plan? Since Lincoln in particular has to deal with the Build Through or however we deal with annexation, is Hickman any different than the other villages? Are acreages a good thing or a bad thing? Mr. Krout answered that he felt it was time for Mr. DeKalb to begin a tour of the small surrounding towns and visit with them about these issues. He noted that it may be that the Build Through is something that they would be interested in if they still want to encourage acreages outside of their jurisdiction. This is an opportunity to make some closer ties and get together with those communities.

Mr. Heier asked what problems we've had in building through any acreages? He hadn't known that there had been problems. Mr. DeKalb stated that he could give a quick litany:

Essentially, and historically over the past 100+ years, as the City grows, we always grow into what is there ahead of us and eventually absorb it. The more recent history has been as we've grown, we've grown into acreages as a matter of convenience - acreages tend to be very close (2/3 being within the 3-mile area). As we get to those areas, there are three or four primary packages. One is a political and social issue - these people have moved out into the country wanting open space and distance between themselves and everything else. They like that lifestyle and don't want to be in the City and don't want the City coming to them. They like to have their [own] elected officials, they get proper service and they enjoy their school district; they just want to be left alone and stay there.

The physical design site of it is that you have whatever number of houses and people involved in a particular annexation, and the ability to split that 3-5 acre lot down to, eventually, an urban lot package of 6-10,000 square foot lots. The water lines, sewer lines, roads, etc. aren't designed and aren't pre-planned to accommodate that conversion. Normally, and historically, it's been assessments and cooperation of neighbors - if somebody holds out you don't get there. Folks don't want to be impacted by fees for improvements by assessment districts. They don't understand that either.

Mr. Heier asked if the City had built through any acreages yet? Mr. DeKalb answered yes, we've built through a whole lot of acreages. Mr. Heier asked what problems had been encountered. Mr. DeKalb answered that eventually what happened, over a period of time, is the sale of land and creation of assessment districts by the City to pay for improvements; eventually over a period of about 50 years, the land does convert. Yes, we do have problems. The problem is that it is a painful and costly process. The people who moved out there don't really want it or expect it. There are also political issues of jurisdiction such as who pays for rural water districts and release of their easements.

The point of Build Through is to try to address all four or five of those issues, bringing them together and have a package of agreements ahead of time so folks can have a better expectation of what is coming. On the outlot we have some pre-design for the easements on the individual lots, and the Clustered Lots; we have easements in the ghost plan that allows for that future splitting and locating those houses in the right place - trying to address all those issues.

Mr. Krout added that the issue of "enforceable" is also a concern. Mr. Heier stated that he understood all of those issues, he was just trying to figure out what physical problem we have had in the past. He noted that he would not debate it here, but just wanted to know. Mr. Krout commented that, out of sympathy for an acreage subdivision that would have these huge costs of bringing water in and assessing water for these three acre lots, the City ended up deferring the requirement for water, so there was not water when the house burned down. Then everyone looks and asks how could you do that - they're in the City, they should have City services....how did this happen? Those kinds of things happen all the time in the....

Mr. DeKalb commented that many Council Members would remember Lazy Acres on South 14th Street. They were deferred by the Council for five or six years and the issues were who can pay for the water and sewer lines - then it was surrounded by the City. How did you pay for that waterline going through. Those folks on individual wells didn't want it. So, it's a conversion issue. He noted that the Yankee Hill Neighborhood is coming up with all the same fun to be expected.

Ms. Newman commented that the example of which she was aware that she had experienced in the last five years on the Planning Commission, is a little cluster of in-town acreages on three acre lots. One person wanted to sub-divide one of those three acres and put two houses on it. The neighborhood went crazy. They are still over there on three acre lots with gravel roads, without curbs. She thought that was precisely the problem. It is going to be a City problem and she would hope that the County Board will respect that the City will be the ones that will have to take the political fall-out from all of this. If we don't do it right - right now. That is the issue that she has seen.

Mr. Hudkins stated that the County Board thought that what Hub Hall tried to do at Sunrise Acres....was a great plan. We wonder why that wasn't enforced. The City had the opportunity to do it. Hub says that he wanted to do it...but it came down, somehow, when Building and Safety issued those permits - they did put those houses where they were supposed to be. But, to put a blue-print together...there is no sense in putting the sewer and water in now. But, you make provision for it, so we can do this Build Through. Somewhere in there, there is a way to do it, but we'll have to agree upon it and then we'll have to make sure that we both enforce it.

Ms. Newman commented that, then, we do agree. Mr. Heier and Mr. Hudkins both responded - "absolutely".

Mr. Svoboda asked Mr. Krout if he would like to summarize the presentation. Mr. Krout said "no". [Laughter] Mr. Krout stated that they were done. He noted this does seem like a complicated package, but he thought if you could step back and look at it, there is an over-all strategy here. We did do what Mr. Krout felt had been asked of them in the Comp Plan, which was to do the studies, but then put an umbrella over it to try to come up with a package of changes. These aren't really big changes to the sub-division or zoning processes - they're just changes that make more sense.

CLEAN IN-DOOR AIR DRAFT ORDINANCE - Mr. Bruce Dart made a brief presentation. Mr. Svoboda asked if there were an issue that the County would like to address as it relates to the Clean Indoor Air Ordinance? Mr. Ray Stevens stated that one of the County Commissioners' concerns was what happens in the three-mile City jurisdiction area and the "No Smoking" - the ban. His understanding is that the terms of draft regulations take the three-mile jurisdiction out of the regulations. Mr. Dart stated that that was correct.

Mr. Dart stated that LAP Board and Mr. Hudkins let the Health Department know the feelings of the County Board on the issue. The desire of the Board was not to initially enforce the ban within the three-mile limit. The Board of Health, after hearing Commissioner Hudkins remarks, agreed to remove that recommendation from the draft for the time being.

Mr. Dart stated that the goal is...it goes before the Board of Health on October 14th. It is their hope that the Board of Health will pass it and that it will then go to the City Council. If the City Council passes it, then over time, we can work with the County Board for an across the County [enforcement].

Mr. Friendt stated that he would like to hear Mr. Hudkins' comments that were so persuasive. Mr. Hudkins stated that they were pretty simple. He had just said that the County Board was unanimous in its recommendation not to include the three-mile limit at this time. Partially, that was based upon whether or not we were going to enforce the `junk cars' ordinance - and some other things. We wanted to make sure we weren't "picking and choosing" things that the City would be enforcing or wasn't going to enforce in that three-mile limit. These people in the three-mile limit feel like they're in "no man's land" because sometimes they are enforced upon or selectively enforced upon -or not enforced upon- by an area that they do not have a direct vote on. They cannot go through the City Council; they can only vote for County Commissioners, yet they're impacted in the three mile area through planning or through enforcement. So, that's the reason we asked for this smoking ban not to include the area in the County within the three-mile limit - at this time.

Mr. Hudkins did also point out that the County did take the lead in all the County owned buildings back in 1993 when we went smoke-free in all of the Directorships. Of course, the first big one was Lancaster Manor, and we did it strictly on the economics of it. It reduced our insurance by about \$40,000 in that facility. We implemented the six-month abatement classes and then implemented the ban in County-owned property and County-owned buildings.

Mr. Friendt commented that, on a point of order, regarding this ordinance does it require County approval to be included in the three-mile area? Mr. Hudkins stated that he thought it would. Mr. Friendt asked, then if the County, basically, will not support that? Mr. Hudkins stated that they would not "at this time". Mr. Dart stated that if we get it passed in the City of Lincoln, we will take the County and work with the Board to include them over time.

Mr. Camp stated that he had a concern. We have the Lincoln/Lancaster County Health Department and he did not understand how you can come forward with a smoking ban ordinance that would only be in the City when you have jurisdiction over both. He felt that was rather hypocritical. Mr. Dart stated that we aren't setting precedent here. Our Food and Drink ordinances aren't enforced in the County. Animal Control isn't enforced in the County. So, this won't be the first instance in which this is done. Mr. Dart restated the intention of eventually bringing the ban to the County, too.

Mr. Stevens stated that he thought the County "came to the party" late on this issue. It was several steps down the road before they were even aware of it. We just feel that we're not in step with where the City is on this, so we'd like to back off a little and take time to study it. We haven't been able to spend any time discussing this particular ordinance or how it applies to the County. Mr. Stevens' question was "is it practical or legal that all establishments that would be covered by this ordinance -instead of having to be smoke free, could be either smoke free, or a smoking facility- and either would be 100%." There would be no "smoking/non-smoking" sections. Every bar and restaurant would have the option of making their own decision and when a customer walks into an establishment, that customer is aware that the facility is either one or the other - completely.

Mr. Dart answered that this question has been raised a lot....they've brought this matter of choice to the community and to the business owners. The bottom line is that people are still being exposed to second-hand smoke. Second-hand smoke is still causing...effecting peoples health. It's killing people. We have, as a government agency, a responsibility to protect the public, whether it be workers or people in that facility.

We can go back to the matter of choice all you want....smoking isn't a right, it's a liberty. With a liberty, we have a responsibility to do no harm. If people are being exposed to something that is causing an effect on their health...this is one of the forms by which we step up and address that. Is everybody going to be in agreement with this? Probably not. Is it the right thing to do? Mr. Dart believed it was. The Board of Health will hopefully think so, too. We do have a responsibility to protect our citizens and that is what we're trying to do through this ordinance.

Ms. Schorr stated that she would just like to make it clear that she strongly supports the efforts of the Health Department. The key words in the County's statement [of non-support] are "at this time". She had a question for Mr. Dart with regard to how many establishments there are in the three-mile jurisdiction that would be effected? Mr. Dart stated that he would have to look up that information. They had just made that decision two weeks ago, and he hadn't gotten that information yet. Ms. Schorr asked how many are outside of that area? Mr. Dart stated that he has staff looking into that right now to get those numbers. He stated that the Department wants to know that before we proceed with this before the County Board.

Mr. Workman stated that he certainly agreed with Commissioner Schorr. One other concern that the County Commissioners had when this was discussed was that we have not had any public hearing for our constituents on this issue. Quite frankly, this gives us the luxury of seeing how well it is accepted in the City of Lincoln. As Commissioner Schorr said "at this time", the answer is no, but that does not negate any consideration in the future.

Mr. Dart commented that the Health Department has listened to the public. He noted that they had made some recommendations to the Board of Health through the input we received from both business owners and the public.

Mr. Werner asked Mr. Dart at what point had it been decided that the three-mile jurisdiction would not be included? Mr. Dart answered that that was something that had been debated back and forth, really, from the very beginning - actually at the first writing of the draft ordinance. He had had some discussion with Kerry Eagan about it. When Commissioner Hudkins brought the issue forward, they really knew that it was a matter of preparation and trying to do it right by having the open process in the County, too. The Board didn't disagree with what the Department was doing.

Mr. Werner asked when the 3100 letters to businesses were sent and all the public hearings were set up and started through the process, had it already been decided not to include the County or did that process include some of the County? Were there any public forums out in the County? Mr. Dart answered that they had not [held forums] in the County. But letters had been sent to business owners in the three-mile limit and invited them to our business forums. We had several attend. At that time, we really hadn't made the decision as to whether or not to include the three-mile jurisdiction.

Mr. Hudkins commented that if it would help any, at first glance, it seemed like this was something that was so much like motherhood and apple pie, that "why wouldn't you support it?" None of us on the Board are smokers....we've told you what a wonderful experience it was when the County declared all of our property to be smoke free. What we'd received were concerns by individual business owners. They want a chance for public input.

Mr. Werner stated that he wasn't promoting this for the County....he wasn't even promoting it for the City. He was in a "wait & see" mode. But, he noted that he had the same concerns as the County Board was having. People are going to come before us and we'll be hearing more and more...every story..during our public hearing. He was curious as to how this came about, because he knew that public forums had been held. He had assumed that they'd been done in the County as well.

OLD BUSINESS - None

NEW BUSINESS - Mr. Hudkins commented that the PBC (Public Building Commission) had been grappling with opening up the new Information Desk. It has been open since last Thursday. We have a new employee who has been working since last Thursday [in the new Joint Reception area]. Mr. Hudkins passed out drawings that had been approved on the Information Desk move. That hallway [Lobby area] had been restricted and everybody said it should be opened up. This is the latest proposal. This is something that will work keeping people in and out of the County Board Office. The big improvement now is that anybody using the handicapped access button will be more conveniently located to allow for a timely exit. We're going to see if it can open both doors. Mr. Hudkins noted that John Kay of Sinclair-Hille had come up with this design and Building and Safety had met with him last week. Everybody is fairly comfortable with this and we hope this body is as well.

Mr. Werner stated that the point of all this was to keep people from going through that door. Do you think this would do that? Mr. Hudkins stated that they would be putting another sign up that says "Authorized Admittance Only". This was Don Killeen's idea. Also, when someone isn't at the Information Desk, we'll put a sign there to direct people to the Joint Reception Desk. Mr. Werner asked if there was room for two chairs in the area. Mr. Hudkins commented that he felt there would be.

Mr. Friendt asked if these doors then were just for exit? Mr. Hudkins stated that they could be both entrance and exit, but only for City Council/County Board people. You're welcome to come in ... you'd be part of the "authorized admission". Mr. Heier commented that he didn't know about that. [Laughter]. Mr. Friendt asked if this was the idea of the shared receptionist area - to keep track of everybody? It was.

Mr. Camp commented that he thought we were going to take some steps, one of which was to get the new common reception area open, then shift the Information Desk a little to the East, before going to this step.[Total movement of the Information Desk to the East Lobby entrance]. Mr. Hudkins commented that it was voted on at the Public Building Commission and that was the direction that was given to Mr. Killeen several months ago. It had originally been scheduled to move the Information Desk at the same time that the new Joint Reception area was opened to the public, but there was a last-minute glitch that prevented that.

Ms. Ray commented, from a staff point of view, that if the County Commissioners were coming and going through the east doors, that the receptionist would not know who was in or who was out. Ms. Ray suggested that if the Commissioners used that door, to at least let the receptionist know when they're in so she can have that information when answering the phones.

Mr. Hudkins commented that the main thing the Building and Safety Department was concerned with was that there be an exit there. Ms. Schorr commented, regarding the new space, staff has talked about perhaps "softening" it a little bit. It is currently very concrete and sterile. We'd like this body to consider using some of the funds we have set aside to purchase a rug, a tree, a coat-rack - something to make the space a little softer and more welcoming. Mr. Friendt asked if these were County funds that had been set aside? Ms. Schorr answered that the funds originally set aside for the space was 50/50. She commented that there are approximately \$2,000.00 left in the County Budget. She assumed that the City would have a matching amount left. She wasn't, however, insinuating that we need \$4,000.00 in that room - but perhaps \$3-400 set aside for improvements to the area.

Mr. Friendt commented that he would be supportive of that. Mr. Stevens commented that there had been a solution to the doors outside the County Board Offices being open to the public. They were locked. [Laughter]. If you had a key, you could get in; but we had several people trying to get in and, basically, had to go around. Mr. Werner wondered about the Joint Reception area inner-door being locked, noting that it would make it more secure if it were locked. Several Common Members commented that part of this plan was for security. Should that be locked? Mr. Svoboda thought it would be more convenient to leave that inner-door unlocked. If we feel that security is an issue, we can deal with it at a later time and lock it appropriately.

Mr. Werner asked if the instructions to the Joint Receptionist were to say to people, "you're not permitted in there". Maybe we should get a "no admittance" sign posted there. Mr. Hudkins stated that point is well taken...it should be noted for "authorized personnel only".

Mr. Kerry Eagan came forward and stated that there is an item on the County Board Staff Meeting Agenda this Thursday which will review policies and procedures for the new receptionist. Certainly we'd want input from City Council on developing those. We need to continue to talk about that...it's a work in progress.

Mr. Stevens commented that the City is taking the lead on the smoke-free environment and we'll take the lead on the Joint Receptionist policies & procedures. We'll let you know what our tentative decision will be. [Laughter].

Mr. Svoboda stated that he didn't know if this was an issue at the County level, but it certainly is on the City level and that is when we're at break, or prior to or at the close of our Council meetings, with that door open leading from the Chambers, we have all the people coming back into our office and standing behind Mary. He noticed this last Monday. It's not just staff, but other visitors walking in....attorneys and such. At some point in time, if there is a door to be locked, it's almost going to have to be the door between the Chambers and our offices. We need to do something to stop people from walking back in behind the receptionist desk. Mr. Hudkins noted that there was a proposal to do away with the door and use the other hallway as a door. We'll have to see. Mr. Svoboda stated that if funds are available at that point, he thought that would be the step to move forward on.

Mr. Werner asked if we couldn't close it and put a sign on it as well - "No Admittance."?

ADJOURNMENT - Mr. Heier moved adjournment. The Common adjourned by general consensus of the Common Members at approximately 9:56 a.m.

*Submitted by
Joan V. Ray
Council Secretary*

Commonminutes090203